UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/941,239	08/28/2001	Michael E. Sears	4000.2.57	5262

32641 7590 10/05/2006

DIGEO, INC C/O STOEL RIVES LLP
201 SOUTH MAIN STREET, SUITE 1100
ONE UTAH CENTER
SALT LAKE CITY, UT 84111

EXAMINER	
WILDER, PETER C	

ART UNIT	PAPER NUMBER
2623	

DATE MAILED: 10/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/941,239	SEARS, MICHAEL E.	
	Examiner	Art Unit	
	Peter C. Wilder	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *9/11/2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-64* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,8-23,28-43 and 48-64* is/are rejected.

7)☐ Claim(s) *4-7, 24-27, 44-47* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1-64 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 41 –61 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 41-60 are indefinite because it is not clear what product(s) the invention covers. The claims must particularly point out and distinctly define the metes and bounds of the subject matter that will be protected by the patent grant.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 14-16, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Dunlap (U.S. 5189691).

Referring to claim 1, Dunlap teaches a method comprising:

detecting a request to establish video communication between a first device and a second device (Column 5 lines 17-20);

determining that the second device is not capable of displaying video signals (Column 5 lines 17-20 teaches the system is set on answer thus no one is home to answer the video phone call and thus the system is not capable of displaying the video signals);

establishing two-way audio communication between the first and second devices Column 5 lines 7-27 teaches a communication device as shown in Figure 3 would output a audio message to a calling device such as a device shown in Figure 3 and the calling device would then communicate and audio message back to the receiving device);

capturing video signals generated by the first device during the two-way audio communication (Column 5 lines 7-27); and

in response to determining that the second device is not capable of displaying video signals, caching the captured video signals for subsequent display after the two-way audio communication is concluded (Column 5 lines 7-27 teaches in response to no

one being around to receive a phone call the video phone cannot display the video signals and thus caches the video signals).

Referring to claim 14, depending on claim 1, Dunlap teaches a camera (Fiugre 3 element 30).

Referring to claim 15, depending on claim 1, Dunlap teaches the first device is a video enable interactive television (ITV) system (Figure 3).

Referring to claim 16, depending on claim 1, Dunlap teaches the second device is selected from the group consisting of a non-video-enabled telephone (Figure 3 and since the second device cannot display the video signals since the user is not answering the video-call thus the second device is not-video-enabled).

Referring to claim 20, depending on claim 1, Dunlap teaches wherein the video signals are cached within the second device (Figure 3 teaches a system where every user can have an answering machine so one user calls the other user and has the message stored in their device).

Claims 21, 34-36, 40, 41, 54-56, 60, and 63 are rejected under 35 U.S.C. 102(b) as being anticipated by Rao (U.S. 5986165).

Referring to claim 21, Rao teaches a method comprising:

detecting a request to establish video communication between a first device and a second device (Figure 30 element 60);

determining that the second device is not capable of displaying video signals (Figure 3 and Column 2 lines 60-67 teach a device is receiving a call and is video capable but since the call is not being answered the second device/receiving device can not display the video signals);

establishing two-way audio communication between the first and second devices (Figure 3 element 76 teaches transmitting a video message to the first/calling device and element 79 teaches the first device transmits back a video response; the video message and response includes audio);

capturing video signals generated by the first device during the two-way audio communication (Figure element 79 and Column 3 lines 1-10); and

in response to determining that the second device is not capable of displaying video signals, caching the captured video signals for subsequent display after the two-way audio communication is concluded (Column 2 lines 60-67, Column 3 lines 1-10, and Figure 3 and Figure 1 element 26).

Referring to claim 34, depending on claim 21, Rao teaches the first device comprises a camera for capturing video signals (Figure 1 element 27).

Referring to claim 35, depending on claim 21, Rao teaches the first device is a video enabled telephone (Figure 1 and Column 1 lines 56-63).

Referring to claim 36, depending on claim 21, Rao teaches the second device is selected from the group consisting of a non-video-enabled telephone (Figure 1 and since the second device cannot display the video signals since the user is not answering the video-call thus the second device is not-video-enabled).

Referring to claim 40, depending on claim 21, Rao teaches the video signals are cached within the second device (Figure 1 and Figure 3).

Referring to claim 41, see the rejection of claim 21. The examiner also notes Rao teaches in Figure 1 element 12 a control module and Column 1 lines 49-56 teaches a processor which inherently requires program code. Thus both the first and second devices being the same as the device as in Figure 1 both have a computer program running on them.

Referring to claim 54, depending on claim 41, see the rejection of claim 34.

Referring to claim 55, depending on claim 41, see the rejection of claim 35.

Referring to claim 56, depending on claim 41, see the rejection of claim 36.

Referring to claim 60, depending on claim 41, see the rejection of claim 40.

Referring to claim 63, see the rejection to claim 21.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2, 9, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunlap (U.S. 5189691) in view of Bruno et al. (U.S. 5710591).

Referring to claim 2, depending on claim 1, Dunlap fails to teach capturing audio signals generated by the first and second devices during the two-way audio communication; and

caching the captured audio signals.

In an analogous art Bruno teaches capturing audio signals generated by the first and second devices during the two-way audio communication; and

caching the captured audio signals (Column 9 lines 12-34).

At the time the invention was made it would have been obvious for one skilled in the art to modify the video answering machine function/device of Dunlap using the recording of both audio communications between two devices for the purpose of recording the information transmitted during a multimedia conference call for later use (Column 2 lines 16-22, Bruno).

Referring to claim 9, depending on claim 2, Bruno teaches receiving a request from a terminal to transmit the cached video and audio signals (Column 9 lines 34-60);

retrieving the cached video and audio signals from a storage device (Column 9 lines 34-60); and

transmitting the video and audio signals to the terminal (Column 9 lines 34-60).

Referring to claim 10, depending on claim 9, Bruno teaches wherein the terminal comprises a display screen and a speaker, the method further comprising:

Displaying the video signals on the display screen of the terminal (Column 9 lines 34-60 teaches retrieving the video signal if the user has a display screen); and synchronously outputting the audio signals on the speaker of the terminal (Column 9 lines 34-60 teaches retrieving the video and audio to watch and listen to the recorded signal so it is inherent for practicality that the audio and video would be synchronized).

Claims 3 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunlap (U.S. 5189691) in view of Allport (U.S. 6567984 B1).

Referring to claim 3, depending on claim 1, Dunlap fails to teach a method further comprising:

receiving a request from a terminal to transmit the cached video signals;

retrieving the cached video signals from a storage device; and transmitting the video signals to the terminal.

In an analogous art Allport teaches receiving a request from a terminal to transmit the cached video signals (Figure 1 element 10 teaches a terminal and Column 9 lines 46-59 and Figure 2 teaches the terminal sending request signals to a base station element 75);

retrieving the cached video signals from a storage device; and transmitting the video signals to the terminal (Column 9 lines 46-59 and Figure 2 teach receiving signals from a VCR).

At the time the invention was made it would have been obvious for one skilled in the art to modify the video answering machine function/device of Dunlap using the wireless portable display function/display of Allport for the purpose of viewing information and therefore leaving the primary viewing screen free of unnecessary clutter (Column 4 lines 6-8, Allport).

Referring to claim 8, depending on claim 3, Dunlap teaches the terminal displaying the video signals on the display screen of the terminal (Figure 3 element 32 and Column 5 lines 27-30).

Claims 23, 28, 43, 48, are rejected under 35 U.S.C. 103(a) as being unpatentable over Rao (U.S. 5896165) in view of Allport (U.S. 6567984 B1).

Referring to claim 23, depending on claim 21, Rao fails to teach a method further comprising:

receiving a request from a terminal to transmit the cached video signals;

retrieving the cached video signals from a storage device; and transmitting the video signals to the terminal.

In an analogous art Allport teaches receiving a request from a terminal to transmit the cached video signals (Figure 1 element 10 teaches a terminal and Column 9 lines 46-59 and Figure 2 teaches the terminal sending request signals to a base station element 75);

retrieving the cached video signals from a storage device; and transmitting the video signals to the terminal (Column 9 lines 46-59 and Figure 2 teach receiving signals from a VCR).

At the time the invention was made it would have been obvious for one skilled in the art to modify the digital video answering machine function/device of Rao using the wireless portable display function/display of Allport for the purpose of allowing a viewer to view a data stream remotely (Column 5 lines 37-39, Allport).

Referring to claim 28, depending on claim 23, Rao teaches the terminal displaying the video signals on the display screen of the terminal (Figure 1 element 25).

Referring to claim 43, depending on claim 41, see the rejection of claim 23. Note Allport Figure 4 element 320.

Referring to claim 48, depending on claim 43, see the rejection of claim 28.

Claims 22, 29, 30, 42, 49, and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rao (U.S. 5896165) in view of Bruno et al. (U.S. 5710591).

Referring to claim 22, depending on claim 21, Rao fails to teach capturing audio signals generated by the first and second devices during the two-way audio communication; and

caching the captured audio signals.

In an analogous art Bruno teaches capturing audio signals generated by the first and second devices during the two-way audio communication; and

caching the captured audio signals (Column 9 lines 12-34).

At the time the invention was made it would have been obvious for one skilled in the art to modify the digital video answering machine function/device of Rao using the recording of both audio communications between two devices for the purpose of

recording the information transmitted during a multimedia conference call for later use (Column 2 lines 16-22, Bruno).

Referring to claim 29, depending on claim 22, Bruno teaches receiving a request from a terminal to transmit the cached video and audio signals (Column 9 lines 34-60);

retrieving the cached video and audio signals from a storage device (Column 9 lines 34-60); and

transmitting the video and audio signals to the terminal (Column 9 lines 34-60).

Referring to claim 30, depending on claim 29, Bruno teaches wherein the terminal comprises a display screen and a speaker, the method further comprising:

Displaying the video signals on the display screen of the terminal (Column 9 lines 34-60 teaches retrieving the video signal if the user has a display screen); and synchronously outputting the audio signals on the speaker of the terminal (Column 9 lines 34-60 teaches retrieving the video and audio to watch and listen to the recorded signal so it is inherent for practicality that the audio and video would be synchronized).

Referring to claim 42, depending on claim 41, see the rejection of claim 22.

Referring to claim 49, depending on claim 42, see the rejection of claim 29.

Referring to claim 50, depending on claim 49, see the rejection of claim 30.

Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunlap (U.S. 5189691) in view of Rao (U.S. 5896165) further in view of Marsh (U.S. 6931657 B1).

Referring to claim 11, depending on claim 1, Dunlap fails to teach wherein caching comprises:

encoding the video signals in a compressed format; and

storing the encoded video signals in a storage device.

In an analogous art Rao teaches wherein caching comprises:

Storing the video signals in a storage device (Column 3 lines 1-10 and Figure 3).

At the time the invention was made it would have been obvious for one skilled in the art to modify the video phone answering machine function/device of Dunlap using the digital video phone answering machine with compression of Rao for the purpose being able to determine the type of device the incoming call is using to respond with the appropriate type of message (Column 1 lines 24-31, Rao).

Dunlap and Rao fail to teach encoding the video signals in a compressed format before storing.

In an analogous art Marsh teaches encoding the video signals in a compressed format before storing (Column 4 lines 11-32 teaches taking a video signal and compressing it).

At the time the invention was made it would have been obvious for one skilled in the art to modify the combined references of Dunlap and Rao using the MPEG video compression function/device of Marsh for the purpose of meeting the capabilities of the processor and storage/memory of the device (Column 4 lines 30-32, Marsh).

Referring to claim 12, depending on claim 11, Marsh teaches wherein the compressed format comprises a form of predictive coding (Column 4 lines 11-32 teaches MPEG which is a type of predictive coding).

Referring to claim 13, depending on claim 11, Marsh teaches the storage device is a magnetic storage device (Column 4 lines 9-18 teaches storing video and audio on a hard disk which is a type of magnetic disk).

Claim 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunlap (U.S. 5189691) in view of Saxena et al. (U.S. 6259449 B1).

Referring to claim 17, depending on claim 1, Dunlap fails to teaches the video signals are cached by a server coupled to the first and second devices by at least one network.

In an analogous art Saxena teaches the video signals are cached by a server coupled to the first and second devices by at least one network (Figure 3 and element 308; Column 6 lines 64-67 and Column 7 lines 1-21).

At the time the invention was made it would have been obvious for one skilled in the art to modify the video answering machine function/device of Dunlap with the video answering machine server of Saxena for the purpose of allowing for messages to be stored, forwarded, attached, and otherwise processed with one another (Column 6 lines 59-63, Saxena).

Referring to claim 18, depending on claim 17, Saxena teaches the network comprises a telephone network (Column 4 lines 30-44).

Referring to claim 19, depending on claim 17, Saxena teaches the server is located with a broadcast center associated with the at least one network (Figure 3 element 316).

Claims 31-33, 51-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rao (U.S. 5896165) in view of Marsh (U.S. 6931657 B1).

Referring to claim 31, depending on claim 21, Rao teaches wherein caching comprises:

Storing the video signals in a storage device (Column 3 lines 1-10 and Figure 3).

Rao fails to teach encoding the video signals in a compressed format before storing.

In an analogous art Marsh teaches encoding the video signals in a compressed format before storing (Column 4 lines 11-32 teaches taking a video signal and compressing it).

At the time the invention was made it would have been obvious for one skilled in the art to modify the digital answering machine function/device of Rao using the MPEG video compression function/device of Marsh for the purpose of meeting the capabilities of the processor and storage/memory of the device (Column 4 lines 30-32, Marsh).

Referring to claim 32, depending on claim 31, Marsh teaches wherein the compressed format comprises a form of predictive coding (Column 4 lines 11-32 teaches MPEG which is a type of predictive coding).

Referring to claim 33, depending on claim 31, Marsh teaches the storage device is a magnetic storage device (Column 4 lines 9-18 teaches storing video and audio on a hard disk which is a type of magnetic disk).

Referring to claim 51, depending on claim 41, see the rejection of claim 31. Note Marsh teaches Figure 1 element 21.

Referring to claim 52, depending on claim 51, see the rejection of claim 32.

Referring to claim 53, depending on claim 51, see the rejection of claim 33.

Claims 37-39, 57-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rao (U.S. 5896165) in view of Saxena et al. (U.S. 6259449 B1).

Referring to claim 37, depending on claim 21, Rao fails to teaches the video signals are cached by a server coupled to the first and second devices by at least one network.

In an analogous art Saxena teaches the video signals are cached by a server coupled to the first and second devices by at least one network (Figure 3 and element 308; Column 6 lines 64-67 and Column 7 lines 1-21).

At the time the invention was made it would have been obvious for one skilled in the art to modify the digital answering machine function/device of Rap with the video answering machine server of Saxena for the purpose of allowing for messages to be stored, forwarded, attached, and otherwise processed with one another (Column 6 lines 59-63, Saxena).

Referring to claim 38, depending on claim 37, Saxena teaches the network comprises a telephone network (Column 4 lines 30-44).

Referring to claim 39, depending on claim 37, Saxena teaches the server is located with a broadcast center associated with the at least one network (Figure 3 element 316).

Referring to claim 57, depending on claim 41, see the rejection of claim 37. Note Saxena teaches Figure 2 element 202 and Figure 3 and Column 2 lines 22-25.

Referring to claim 58, depending on claim 57, see the rejection of claim 38.

Referring to claim 59, depending on claim 57, see the rejection of claim 39.

Claims 61, 62, and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunlap (U.S. 5189691) in view of Allport (U.S. 6567984 B1) further in view of Hashimoto (U.S. 4903289).

Referring to claim 61, Dunlap teaches a method comprising:

detecting a request to establish video communication between a first device and a second device (Column 5 lines 17-20);

determining that the non-video device is not capable of displaying video signals (Column 5 lines 17-20 teaches the system is set on answer thus no one is home to

answer the video phone call and thus the system is not capable of displaying the video signals);

establishing two-way audio communication between the interactive television system and the non-video-enabled communication devices Column 5 lines 7-27 teaches a communication device as shown in Figure 3 would output a audio message to a calling device such as a device shown in Figure 3 and the calling device would then communicate and audio message back to the receiving device);

capturing video signals generated by the interactive television system during the two-way audio communication (Column 5 lines 7-27); and

in response to determining that the non-video-enabled communication device is not capable of displaying video signals, caching the captured video signals for subsequent display after the two-way audio communication is concluded (Column 5 lines 7-27 teaches in response to no one being around to receive a phone call the video phone cannot display the video signals and thus caches the video signals).

Dunlap fails to teach receiving a request from a terminal to transmit the cached video signals;

retrieving the cached video signals from a storage device; and transmitting the video signals to the terminal.

In an analogous art Allport teaches receiving a request from a terminal to transmit the cached video signals (Figure 1 element 10 teaches a terminal and Column 9 lines 46-59 and Figure 2 teaches the terminal sending request signals to a base station element 75);

retrieving the cached video signals from a storage device; and transmitting the video signals to the terminal (Column 9 lines 46-59 and Figure 2 teach receiving signals from a VCR).

At the time the invention was made it would have been obvious for one skilled in the art to modify the digital video answering machine function/device of Rao using the wireless portable display function/display of Allport for the purpose of allowing a viewer to view a data stream remotely (Column 5 lines 37-39, Allport).

Dunlap and Allport fail to teach capturing audio signals generated by the interactive system and the non-video-enabled communication device during the two-way audio communication.

In an analogous art Hashimoto teaches capturing audio signals generated by the interactive system and the non-video-enabled communication device during the two-way audio communication (Abstract, Column 8 lines 3-15, Column 13 lines 1-5).

At the time the invention was made it would have been obvious for one skilled in the art to modify the combined methods of Dunlap and Allport using the recording of both audio communications between two devices for the purpose of allowing a user to listen to the response of a caller on the other end of the line again.

Referring to claim 62, see the rejection to claim 61. A component has to exist to be able to execute a system.

Referring to claim 64, see the rejection to claim 61.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dunlap (U.S. 5189691) in view of Hashimoto (U.S. 4903289).

Referring to claim 2, depending on claim 1, Dunlap fails to teach capturing audio signals generated by the first and second devices during the two-way audio communication; and

In an analogous art Hashimoto teaches capturing audio signals generated by the first and second devices during the two-way audio communication; and

caching the captured audio signals (Abstract, Column 8 lines 3-15, Column 13 lines 1-5).

At the time the invention was made it would have been obvious for one skilled in the art to modify the video answering machine function/device of Dunlap using the two-way conversation recording function/device of Hashimoto for the purpose of allowing a user to listen to the response of a caller on the other end of the line again.

Second rejection of claims 22 and 42.

Claims 22 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rao (U.S. 5896165) in view of Hashimoto (U.S. 4903289).

Referring to claim 22, depending on claim 21, Rao fails to teach capturing audio signals generated by the first and second devices during the two-way audio communication; and

caching the captured audio signals.

In an analogous art Hashimoto teaches capturing audio signals generated by the first and second devices during the two-way audio communication; and

caching the captured audio signals (Abstract, Column 8 lines 3-15, Column 13 lines 1-5).

At the time the invention was made it would have been obvious for one skilled in the art to modify the video answering machine function/device of Rao using the two-way conversation recording function/device of Hashimoto for the purpose of allowing a user to listen to the response of a caller on the other end of the line again.

Referring to claim 42, depending on claim 41, see the rejection of claim 22.

Allowable Subject Matter

Claims 4-7, 24-27, and 44-47 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter C. Wilder whose telephone number is 571-272-2826. The examiner can normally be reached on 8 AM - 4PM Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (571)272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PW

CHRISTOPHER GRANT
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600